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May 1, 2003

**SUMMARY OF  
*EX PARTE* PRESENTATION**

Ms. Marlene Dortch  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, SW, Room TWA325  
Washington, DC 20554

**Re: Ex Parte Presentation CC Docket No. 95-116**

Dear Ms. Dortch:

On April 30, 2003, the undersigned and Lawrence E. Sarjeant, United States Telecom Association (USTA), Trent D. Boaldin, Epic Touch Company, and John Jones, CenturyTel, met with the following members of the Wireless Telecommunications Bureau: Jared Carlson, Jenifer Salhus, and Patrick Forster. Participating from the Wireline Competition Bureau was Cheryl Callahan. The purpose of this meeting was to discuss USTA's position regarding the Cellular Telecommunications and Internet Associations (CTIA) Petition for Declaratory Ruling (Petition), which asks the Federal Communications Commission (FCC) to declare that wireline to wireless local number portability (LNP) must occur before wireless intra-modal LNP can be initiated.

In the meeting, USTA specifically discussed the following issues: USTA's policy against wireless to wireless LNP and wireline to wireless LNP, inter-modal LNP and its affect on the wireline rate center, and how inter-modal LNP will require the FCC to examine regulatory issues outside of LNP that impact fair inter-modal competition between wireless and wireline service providers

USTA emphasized that competition within the wireline and wireless industries is robust and that LNP should not be required intra-modally for CMRS providers or inter-modally between wireline carriers and CMRS providers. If the FCC were to require inter-modal LNP, the FCC must address all regulatory issues that impact fair competition between wireline and wireless carriers. A level playing field is essential in order for there to be fair inter-modal competition. Consequently, the FCC cannot address inter-modal voice competition solely in the context of LNP.

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Further, USTA explained that technological difficulties do exist for porting outside of the wireline rate center, but they are not prohibitive. If the FCC were to overturn itself and order LNP outside of the wireline rate center, it would require ILECs to reconfigure their routing, rating and billing infrastructures at a substantial cost to both the carrier and customer. These additional costs for telecom services would have to be passed on to the customer. If the FCC were to require inter-modal LNP between wireline and CMRS providers, it would occur at a substantial cost to the ILEC and the "customer."

USTA stated that a decision by the FCC granting the Petition will undermine and dramatically impact intrastate rate structures imposed by state public service commissions. Granting of the Petition will have an impact on inter-carrier compensation and require broader consideration than can be done in this proceeding. This will cause the ILEC to incur additional lost revenue.

In accordance with Section 1.1206(b)(2) of the Federal Communications Commission's (FCC) rules, this letter and the attached outline used during the meeting are being filed electronically with your office. Please feel free to contact me at (202) 326-7271 should you have any questions.

Sincerely,



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Michael T. McMenamin  
Associate Counsel

cc: Jared Carlson  
Jenifer Salhus  
Patrick Forster  
Cheryl Callahan